

REMARKS

Claims 1-47 are pending, with all claims rejected.

Double Patenting Rejection

Claims 1-47 have been provisionally rejected under 35 US 101 as claiming the same invention as that of claims 1-20 of copending application no. 11/841,604.

Claims 1-20 of copending application no. 11/841,604 were canceled in the Second Preliminary Amendment filed May 23, 2008, thereby rendering this rejection moot.

Prior Art Rejection

Claims 1, 13-16, 19, 20, 24, 27, 31, and 42-45 have been rejected under 35 USC 103(a) as being unpatentable over Cathoor et al. (U.S. Patent No. 6,223,274; hereinafter "Cathoor") in view of Merritt et al. (U.S. Patent No. 6,421,429; hereinafter "Merritt"). Applicant respectfully traverses this rejection.

The claims are directed to a wireless communication method and system for hosting a plurality of processes, each process in the plurality of processes executed in accordance with a communication protocol, the communication protocol including a set of functions. The system has a plurality of application specific instruction set processors (ASISPs) and a scheduler or centralized controller. Each ASISP is capable of executing a subset of the set of functions included in the communication protocol. The scheduler or centralized controller is connected to the plurality of ASISPs for scheduling the plurality of ASISPs in accordance with a scheduling scheme or time-slicing algorithm so that each process in the plurality of processes is supported by the wireless communication system.

Cathoor and Merritt are each directed to a different system than the claimed invention. Cathoor is directed generally to a programmable processing engine. Merritt is directed to a wireline network-based system enabling image communications. On the other hand, the claims are

directed to a wireless communication system and method. Wireless and wireline systems have very different architectures, and features of one system are not applicable to the other. The applied references are therefore not applicable to the claims of the present invention.

Further, the applied references do not suggest a “scheduler connected to said plurality of ASISPs for scheduling said plurality of ASISPs in accordance with a time-slicing algorithm,” as required by the claimed invention.

“Time-slicing algorithm” means that the scheduler interrupts each process after some small period of time (e.g., milliseconds) and gives control to another process. An example is provided in paragraph [0110], wherein at time-slice zero, scheduler 340 makes process A active, and at time-slice one, scheduler 340 makes process B the active process; the method continues in the same manner in subsequent time-slices.

In contrast, Cathoor teaches a programmable processing engine having a flexible processor that services as a backup for a customized processor to provide flexibility for design changes and optimizations. The customized processor normally executes a sequence of a plurality of pre-customized routines. A controller monitors the customized processor during execution of routines to select one of a set of pre-customized processing interruption points to switch context from the customized processor to the flexible processor at the interruption point. The customized processor can then be switched off and the flexible processor carries out a modified routine. See abstract and column 10, line 35, though column 12, line 12.

Cathoor’s focus is to switch between different processors, whereas a time-slicing algorithm generally involves switching between different processes using a same processor. Also, Cathoor switches processors at one of a set of pre-customized processing interruption points, whereas a time-slicing algorithm involves assigning processes to respective, periodic time slices. Cathoor therefore does not suggest the claimed “scheduler connected to said plurality of ASISPs for scheduling said plurality of ASISPs in accordance with a time-slicing algorithm.”

The claims are patentable over the applied references for at least this reason.

Dependent claims 13-16, 42 and 43 further recite various wireless protocols such as CDMA, IS-95 CDMA, IS-95B CDMA, CDMA TIA IS2000, TIA IS 2000A, wideband CDMA (WCDMA), cdma2000, and ARIB WCDMA, TDMA, and IS-136 TDMA. Since neither Catthoor nor Merritt suggests a wireless communication system, as discussed above, it necessarily follows that they do not suggest the specific wireless protocols as recited. Dependent claims 13-16, 42 and 43 are therefore patentable over the applied references for this additional reason.

Dependent claims 19, 20, 44, and 45 recite an “echo.” As explained in paragraph 52 of the published application, “The term echo is also used to refer to a multipath. Echoes are caused when the signal emitted from a transmitter ‘bounces’ off an object and arrives at the receiver through an alternate, delayed path.” Echo is a concept specific to wireless communication systems. Again, neither Catthoor nor Merritt suggests a wireless communication system, and thus it necessarily follows that they do not suggest an echo, a concept specific to wireless communication systems. Dependent claims 19, 20, 44, and 45 are therefore patentable over the applied references for this additional reason.

Reconsideration and withdrawal of the prior art rejection is respectfully requested.


In view of the above, Applicant believes the pending application is in condition for allowance.

In the event a fee is required or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Dated: September 19, 2008

Respectfully submitted,

By



Laura C. Brutman

Registration No.: 38,395

DICKSTEIN SHAPIRO LLP

1177 Avenue of the Americas

New York, New York 10036-2714

(212) 277-6500

Attorney for Applicant